

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

MATTHEW DICKSON, on behalf of	:	Case No. 5:18-cv-182-GJL
himself and others similarly situated,	:	
	:	Magistrate Judge Limbert
Plaintiff,	:	
	:	
v.	:	
	:	
DIRECT ENERGY, LP, et al.,	:	
	:	
Defendants.	:	

DECLARATION OF JONATHAN P. MISNY

Jonathan P. Misny declares under penalty of perjury as follows:

1. I am one of the attorneys representing Plaintiff Matthew Dickson in the above-cited case and have personal knowledge of all facts set forth herein and declare the following to be true and accurate under the penalty of perjury.

2. I offer this declaration in support of Plaintiff's Reply Memorandum in Support of Motion for Class Certification.

3. Attached hereto as Exhibit 1 is a true and accurate copy of the Service Proposal produced by Active Prospect on November 20, 2019 pursuant to a subpoena.

4. Attached hereto as Exhibit 2 is a true and accurate copy of Plaintiff's First Set of Discovery Requests to Direct Energy, LP, served in this matter on June 6, 2018.

5. Attached hereto as Exhibit 3 is a true and accurate copy of Plaintiff's First Set of Discovery Requests to Total Marketing Concepts, Inc., served in this matter on June 6, 2018.

6. Attached hereto as Exhibit 4 is a true and accurate copy of the Subpoena issued by Plaintiff to DMI Partners, Inc. in this matter on October 30, 2019.

7. Attached hereto as Exhibit 5 is a true and accurate copy of the subpoena response received from counsel for DMI Partners, Inc. on November 26, 2019.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 22, 2020 in Franklin County, Ohio.

/s/ Jonathan P. Misny

Jonathan P. Misny